

Reconsideration of the above-identified application is respectfully requested in view of the following remarks.

REMARKS

The Examiner has objected to the drawings under 37 C.F.R. 1.183 (a) indicating that the drawings must show every feature of the invention as specified in the claims. In this regard, the drawings, and in particular, Figures 1-8 have been deleted. These drawings were photographs which depicted the color change as set forth in the Examples of the application. A replacement sheet of drawings including Figures 1, 2A and 2B are enclosed with this amendment. Figure 1 illustrates the timing device of this invention which includes an adhesive backed polymer film onto which is applied a matrix that contains the redox indicator and the reactable metal ion. Figures 2A and 2B illustrate the addition of the timing device of Figure 1 onto a box of consumer goods. It is believed that all the features of the drawings are set forth in the original specification, including the original instant claims and that the drawings now depict each and every limitation of the claimed invention as reasonably possible. The Examiner is kindly requested to enter the new drawings.

The specification has been amended consistent with the deletion of the original drawings and addition of the new figures. Accordingly, the "Brief Description of the Drawings" at page 6 of the specification has been amended and all reference to the original figures in the specification have been deleted. In as much as the original Figures depicted what was already

set forth in the Tables in the original specification, it is not believed that the original drawings are necessary to the enablement or written description of the present invention.

A small discussion of the new Figures has now been added to the specification under the new heading "Detailed Description of the Invention". The discussion added is clearly supported in the original application including the examples and the original claims. Accordingly, it is not believed that any new matter has been added to the application.

Claims 3-5 have been objected to due to certain informalities, including the preambles of claims 3, 4, and 5. Further, the Examiner objects to the limitation "the wet film" in claim 4.

The preambles to claims 3, 4, and 5 have been corrected. The Examiner is thanked for this careful review of the claims. Moreover, in claim 4, the article "the" when referring to the wet film has now been changed to "a". Accordingly, it is believed that there is no longer an issue of antecedent support for this claimed limitation.

Claims 1-3 and 8 have been rejected under 35 U.S.C. 102(b) as being anticipated by Adamy et al. (U.S. 6,269,764). The rejection is respectfully traversed.

First, the applied reference is commonly assigned relative to the present application and, in fact, the present inventor was a co-inventor of the applied reference. The timing device of the presently claimed invention is similar but not the same as that described in the applied reference. In the present invention, the timing device includes a mixture of a redox indicator and a reactable metal ion in a matrix. This combination will likely form a

different color from the redox indicator, per se. Thus, in most cases, the metal ion will reduce the redox indicator. In the present invention, the timing device is exposed to air and it is the air which reoxidizes the redox indicator to change the color from the combination that was originally applied. In the applied reference, there is no reaction or color change with the presence of air. The applied reference clearly sets forth the color change reactions at column 5 lines 1-55. Nowhere in this passage is a description of mixing a metal ion with a redox indicator and then exposing the combination to air to change color. In the applied reference, it is the metal ion which eventually reacts with the redox indicator to form the color change that is desired. In this regard, claims 1 and 8 have been amended to emphasize that the matrix is exposable to the air. In the applied reference the reactable components are not so exposed. Accordingly, it is not believed that the applied reference teaches each and every limitation of the claimed invention as required and, in particular, the applied reference does not teach that the reactants contained in a matrix are exposed to air. Withdrawal of the rejection is respectfully requested.

Claims 5 and 6 have been rejected under 35 U.S.C. 103(a) as being unpatentable over Adamy et al. in view of Anderson (U.S. 2005/0078557). The Examiner states that with respect to claim 5, the primary reference does not disclose that the matrix is attached to adhesive tape. With respect to claim 6, the Examiner states the primary reference does not disclose the redox indicator is from the group of indigo carmine or methylene blue. The Examiner applies Anderson which discloses a sensor which uses adhesive tape to adhere to products. Anderson is also applied as disclosing in

the use of indigo carmine. The Examiner concludes it would have been obvious to add the adhesive disclosed by Anderson to the indicator of the primary reference and that it would be obvious to replace the dye disclosed by the primary reference with the indigo carmine disclosed by Anderson. The rejection is respectfully traversed.

The applied combination of references does not suggest the claimed timing device in which a matrix, which is exposable to air, contains a combination of redox indicator and a metal ion reactable with the redox indicator. Accordingly, the humidity sensor of Anderson does not make up for the deficiencies of the primary reference and as such, it is believed that the presently claimed timing device patentably distinguishes over the combination of references applied by the Examiner. Withdrawal of the rejection is respectfully traversed.

Claim 4 has been rejected under 35 U.S.C. 103(a) as being unpatentable over Adamy. The Examiner states that Adamy does not disclose a film forming polymer having a thickness of 5-50 mil. The Examiner concludes however it would have been obvious to one of ordinary skill in the art to provide a polymer having the claimed thickness since the thickness is the discovery of an optimum range involving only routine skill in the art. The rejection is respectfully traversed.

Again, the primary reference does not remotely suggest the claimed timing device, which includes a matrix, which contains a combination of a redox indicator and a metal ion reactable therewith and in which the matrix is exposable to the air. In the primary reference, color change comes about by the eventual contact between two components. In the claimed

device, the two components are initially mixed and it is upon the exposure to air in which the change of color occurs from the color of the combination. Accordingly, it is not believed that the applied reference remotely suggests the claimed device or renders obvious the claimed thickness of the matrix film of the claimed device. Withdrawal of the rejection is respectfully requested.

Claim 7 has been rejected under 35 U.S.C. 103(a) as being unpatentable over Adamy and Anderson in view of Preziosi et al. (U.S. 4,788,151). The Examiner states that the primary reference discloses all of the instant claimed invention as stated above with respect to claims 1-3, and 8, but does not disclose that the metal ion is a tin ion. Preziosi is applied as disclosing a metal complex compound in which the metal ion is a tin ion. The Examiner concludes it would have been obvious to one of ordinary skill in the art the time the invention was made to replace the iron ions disclosed by Adamy with the tin ions disclosed in the secondary reference. The rejection is respectfully traversed.

The presently claimed invention is not directed to the discovery that tin cations can be reactable with other compounds to form a color change. The invention as set forth in claim 7 is directed to a timing device in which a redox indicator is mixed with tin cations and then this mixture, which is disposed within a matrix, is exposed to air to change the color of the combination. The secondary reference does not make up for the deficiencies in the primary reference in this regard.

In view of the above remarks, it is believed that claims 1-8 patentably distinguish over the art of record and applicant respectfully solicit such favorable action.

Date: 8/10/2006

Best Regards,

A handwritten signature in cursive script, appearing to read "Stuart D. Frenkel".

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